



State of Utah

DEPARTMENT OF ENVIRONMENTAL QUALITY  
DIVISION OF AIR QUALITY

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Governor  
Dianne R. Nielson, Ph.D.  
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Certified Mail

DAQC-1369-98

September 9, 1998

Dale Hansen, Ph.D.  
Thatcher Company  
1905 Fortune Road  
Salt Lake City, Utah 84127

RECEIVED  
OFFICE OF ENFORCEMENT,  
SEP 14 1998

Dear Dr. Hansen:

Re: **Thatcher Company** - Settlement of Notice of Violation No. 98050030 - Salt Lake County

Further to your meeting with the Division of Air Quality, two copies of a Settlement Agreement to resolve the above-referenced Notice of Violation are enclosed for your company's signature. By signing the Agreement, Thatcher Company would agree to pay \$6,500.00 to the Utah Air Quality Board within 30 days of the effective date of the Agreement.

Please respond **within 15 days**. To accept the Agreement, sign both copies of the Agreement and return them to Ursula K. Trueman, Executive Secretary, Utah Air Quality Board, at the letterhead address. Both copies will then be signed and dated by the Executive Secretary, and one copy will be returned to you. The Agreement will become effective on the date it is signed by the Executive Secretary. If you do not sign the Settlement Agreement, provide a written response explaining the reason.

If you have any questions concerning this matter, please contact Gisela Jensen at (801) 536-4406.

Sincerely,

*Ursula K. Trueman*

Ursula K. Trueman, Executive Secretary  
Utah Air Quality Board

UKT:GIJ:tj

Enclosures: Settlement Agreement (2)

cc: EPA Region VIII, Lee Hanley  
Salt Lake City/County Health Department

UTAH AIR QUALITY BOARD

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In The Matter of	:	Settlement
Thatcher Company	:	Agreement

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This Settlement Agreement is entered into between Thatcher Company and the Utah Air Quality Board (UAQB) pursuant to the Utah Air Conservation Act (Act), Utah Code Ann. § 19-2-101 et seq. (as amended). Without adjudication of any issue of fact or law and without admission of any liability, the parties hereto, the Executive Secretary of the UAQB and Thatcher Company hereby agree as follows:

1. The UAQB has jurisdiction over the subject matter of this Agreement, pursuant to Utah Code Ann. §§ 19-2-104 and 19-2-110, and jurisdiction over the parties.
2. The Executive Secretary of the UAQB has been authorized by the UAQB pursuant to Utah Code Ann. §§ 19-2-104, 19-2-107, and 19-2-110 to issue Notices of Violation and to negotiate and enter into Settlement Agreements on behalf of the UAQB.
3. The purpose of this Agreement is to settle the following alleged violations of the Utah Administrative Code (UAC) R307-1-3 by Thatcher Company, Salt Lake County, Utah:

<u>Date of Violation</u>	<u>Date of Notice of Violation</u>	<u>Violation</u>
May 7, 1998	June 2, 1998	Approval Order, Dated August 5, 1997, Conditions 9 and 13

4. The parties now wish to resolve this matter fully without admissions of any violations, liability, wrongdoing, failure or omissions whatsoever, and without further administrative or judicial proceedings.
5. None of the provisions of this Agreement shall be considered admissions by any party and shall not be used by any person related or unrelated to this Agreement for purposes other than determining the basis of this Agreement.
6. Compliance with this Agreement resolves only the alleged violations listed in paragraph 3 of this Agreement and in no way relieves Thatcher Company from any future obligations imposed under the Act or Rules promulgated thereunder.

7. In settlement of the alleged violations listed in paragraph 3 of this Agreement, Thatcher Company agrees to a total penalty of \$6,500.00.
8. Nothing in this Agreement, including payment of the penalty, shall preclude the UAQB from seeking civil penalties for future violations of the Act, Rules, or Orders.
9. If the total penalty amount is not paid as agreed, this Agreement may become null and void at the discretion of the Board.
10. This Agreement shall become effective upon execution by both parties.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 1998.

Thatcher Company

Utah Air Quality Board

By: \_\_\_\_\_ By: \_\_\_\_\_

Name:  
Title:

Ursula K. Trueman  
Executive Secretary